

Remarks/Arguments

Claims 1, 4 and 6-17 are pending in the application. Reconsideration and reexamination are requested. Claim 4 has been cancelled.

Claim 1 has been objected to for including the term “opening” after the term “end piece” in line 11 as “opening” was viewed as redundant. Claim 1 has been amended to remove the word “opening” after “end piece” in line 11. Accordingly, no new matter has been entered.

Claim 1 has been further amended to include the matter of dependent claim 4 which recited “wherein said body portion having a first and second end section with an edge thereof is configured to engage with said opening in said end piece, and wherein said opening compresses upon said end section when said edge section is engaged with said opening.” Attention is also directed to paragraph [0015] of the published application. Accordingly, no new matter has been entered.

Claims 1, 4, 6-15 and 17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Rourke (USP 5,174,243) in view of Kaplan (USP D453,242). As an initial matter, as noted above, claim 1 has been amended to include the features of claim 4. In that regard, while dependent claim 4 was noted as rejected, Applicant was unable to locate any discussion regarding the rationale as to the basis for the 103 rejection for the subject matter of claim 4.

Accordingly, amended claim 1 now recites “said body portion having a first and second end section with an edge thereof is configured to engage with said opening in said end piece, and wherein said opening compresses upon said end section when said edge section is engaged with said opening.” The edge section **21**, as shown below in **FIG. 2** of the published application, is located at the *end* of the body portion **18**. See below.

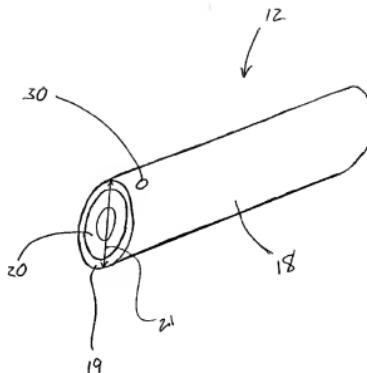
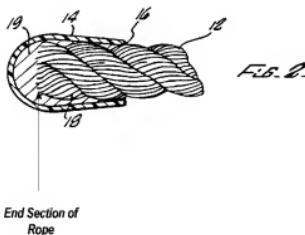


FIG. 2

As shown below in FIG. 2 of O'Rourke, the *end* section of the rope 18 does not engage with the opening at 16, and the opening does not compress upon the end section. If there were a compression fit, there would be no need or room for the adhesive 19.



In addition, claim 1 has been amended to recite that the animal chew consists essentially of the indicated features. This is believed to, on its own, preclude a reading of O'Rourke on the presently amended subject matter, as no adhesive is utilized or necessary in the present

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invention, which, as the Examiner may appreciate, is an added benefit to a chew toy that may be chewed upon by a pet.

It is further submitted that, contrary to the Office Action at page 3, **FIG. 1** of O'Rourke does not show an opening **16** having a diameter that is less than the diameter of the shaft portion **12**. This is further supported by **FIG. 2** where the diameters of the opening and rope are the same. Further, **FIG. 4** of O'Rourke does **not** show a core partially covered by an outer layer but does show an adhesive **19**, (see column 2 line 19) and again supports the argument that in O'Rourke, $d_1 = d_2$. The cited art of Kaplan and Klaus (USP 6,676,481) do not make up for the deficiencies of O'Rourke.

Dependent claims 4 and 6-17 all depend directly or indirectly from independent claim 1 and are believed to be similarly distinguished.

Given the distinctions between the present invention and the cited art, it is believed that the previous prior art rejection has been overcome and that the claims are in condition for allowance. Allowance at an early date is respectfully solicited.

In the event the Examiner deems personal contact is necessary, please contact the undersigned attorney at (603) 668-6560.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our deposit account No. 50-2121.

Respectfully submitted,

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